

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

ERIC DANE MITCHELL,

Plaintiff,

v.

SHAWNEE MEDICAL STAFF and  
CAROLE AGUILAR,

Defendants.

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ERIC DANE MITCHELL,

Plaintiff,

v.

WEXFORD CORPORATION and CARROL  
AGULIER,

Defendants.

Case No. 18-cv-566-JPG-RJD

consolidated with

Case No. 18-cv-1026-JPG-RJD

**MEMORANDUM AND ORDER**

This matter comes before the Court on the motion of the defendants in *Mitchell v.*

*Wexford Corporation*, No. 18-cv-1026-JPG-GCS, to consolidate this case with *Mitchell v.*

*Shawnee Medical Staff*, No. 18-cv-566-JPG-RJD (Doc. 32 in No. 18-cv-1026-JPG-GCS). It

appears that both cases name Carole Aguilar (spelled differently in each case) as a defendant and allege the same instance of deliberate indifference to plaintiff Eric Dane Mitchell's medical needs in November 2017.

Rule 42(a) allows the Court discretion to consolidate cases that involve a common question of law or fact. This case clearly involves common—in fact, likely identical—questions of law and fact. In the absence of any compelling reason not to consolidate these cases, the

Court:

- **GRANTS** the motion to consolidate (Doc. 32 in No. 18-cv-1026-JPG-GCS);
- **CONSOLIDATES** *Mitchell v. Wexford Corporation*, No. 18-cv-1026-JPG-GCS into *Mitchell v. Shawnee Medical Staff*, No. 18-cv-566-JPG-RJD;
- **ORDERS** that all future filings shall bear the consolidated caption used in this order and shall be filed only in *Mitchell v. Shawnee Medical Staff*, No. 18-cv-566-JPG-RJD; and
- **DIRECTS** the Clerk of Court to reassign Magistrate Judge Reona J. Daly as the magistrate judge in *Mitchell v. Wexford Corporation*, No. 18-cv-1026-JPG-GCS.

**IT IS SO ORDERED.**

**DATED: March 5, 2019**

s/ J. Phil Gilbert  
**J. PHIL GILBERT**  
**DISTRICT JUDGE**